

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>4/17/06</u>		2 Serial/Patent # <u>09/972,032</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input checked="" type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition	—	3/6/06	\$ 130
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND	\$ 130	
		8 TO BE REFUNDED BY:		
10 REASON:		<input type="checkbox"/> Treasury Check <input checked="" type="checkbox"/> Credit Deposit A/C #: <u>9,03--0172</u>		
<input checked="" type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	Duplicate Payment	<input type="checkbox"/>		
No Fee Due (Explanation):				
11 REFUND REQUESTED BY: <u>C.T. Donnell</u> TYPED/PRINTED NAME: <u>C.T. Donnell</u> TITLE: <u>Pat. Atty.</u> SIGNATURE: <u>C.T. Donnell</u> PHONE: <u>2723211</u> OFFICE: <u>4700</u> **** THIS SPACE RESERVED FOR FINANCE USE ONLY **** APPROVED: <u>Aug 18/06</u> DATE: <u>4/18/06</u>				

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B

JTA
JRW

CERTIFICATE OF MAILING

I hereby certify that this communication is being deposited with the U.S. Postal Service, with sufficient postage as First Class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria VA 222313-1450, on this 2nd day of March, 2006.

Wendy A. Frick
Print Name Wendy A. Frick

Customer Number
24024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Montano, et al.



) Examiner: Yu, Misook
)
) Art Unit: 1642
)
) Confirmation No.: 2885
)
For: MODULATORS OF ANTESTROGEN
PHARMACOLOGY) Attorney Docket No.: 27708/04003
)

Mail Stop Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Adjustment date: 04/18/2006 CKHLOK
03/07/2006 YPOLITE1 00000020 09972032
01 FC:1464 -130.00 OP

Repln. Ref: 04/18/2006 CKHLOK 0012010100
DA#030172 Name/Number:09972032
FC: 9204 \$130.00 CR

Dear Sir:

In response to the Decision on Petition mailed on February 8, 2006 (a copy of which is enclosed herewith), Applicants, through their attorneys, hereby renew their Petition to the Commissioner to withdraw the holding of abandonment for the above-identified application. A Notice of Abandonment was mailed by the Office on January 4, 2006, indicating the application was abandoned for failure to reply to an Office Action dated April 21, 2005. Applicants request withdrawal of the holding of abandonment based on the non-receipt of the Office Action. Furthermore, since Applicants did not receive the Office Action dated April 21, 2005, along with the Notice of Abandonment, Applicants request that the Office resend the Office Action and reset the due date for response.

In support of this petition, applicants present herewith:

(1) a statement of facts;

(2) a copy of the relevant docket sheets;

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130.00 OP

(3) a copy of the Notice of Abandonment dated January 4, 2006; and

(4) a check in the amount of \$130.00 as payment of the petition fee.

If any additional fee is due with this petition, please charge our Deposit Account Number

03-0172.

Respectfully submitted,

Date: March 2, 2006

By:

Pamela A. Docherty
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(216) 622-8416